

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION
STANDING HEARING OFFICER DIRECTIVE**

DOCKET NO. 2017-32-E Order No. 2017-25-H

MARCH 31, 2017

Standing Hearing Officer: David Butler

DOCKET DESCRIPTION:

**3109 Hwy. 25 S., L.L.C. d/b/a 25 Drive-In and Tommy McCutcheon,
Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent**

MATTER UNDER CONSIDERATION:

Request To Pre-File Testimony Out of Time

HEARING EXAMINER'S ACTION:

On March 28, 2017 Duke Energy Carolinas, LLC filed a motion requesting the ability to pre-file certain testimony out of time. Specifically, Duke seeks to pre-file the direct testimony of Jesse S. Gonzalez and supplemental testimony of Joel M. Lundsford after the due date established by the Clerk's Office. In the request, Duke argues that the testimony it proposes to file is relevant to the factual issues presented in the case and should be considered by the Commission. It represents that the information in this testimony was developed or discovered by its employees on March 27, 2017 and was not available prior to that date.

Counsel for the Office of Regulatory Staff and the Counsel for the Complainant indicate no objection to the motion, as long as the Complainant has an opportunity to file rebuttal testimony to the new testimony.

Accordingly, the request to file the direct testimony of Jesse S. Gonzalez and supplemental testimony of Joel M. Lundsford after the due date established by the Clerk's Office is granted, and the Complainant is likewise granted leave to file rebuttal testimony relevant to this newly filed testimony, if appropriate, as soon as possible.